

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF

TUESDAY, FEBRUARY 28, 1989

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor McCarty at 11:00 a.m. The meeting was recessed by Deputy Mayor McCarty at 11:54 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:07 p.m. with Council Members Roberts, McColl and Filner not present. The meeting was recessed by Mayor O'Connor at 5:05 p.m. into Closed Session in the twelfth floor conference room to discuss pending litigation.

The meeting was reconvened by Mayor O'Connor at 5:28 p.m. with Council Members Wolfsheimer and McCarty not present. The meeting was recessed by Mayor O'Connor at 5:52 p.m. to convene the Joint Council/Redevelopment Agency meeting. The meeting was reconvened at 7:05 p.m. with Council Members Wolfsheimer and McCarty not present. The meeting was recessed by Mayor O'Connor at 7:05 p.m. to convene the Redevelopment Agency Meeting. The Meeting was reconvened by Mayor O'Connor at 7:08 p.m. with Council Members Wolfsheimer and McCarty not present. Mayor O'Connor adjourned the meeting at 7:11 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour/Fishkin (rb;tm)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present

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- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-206: (R-89-1420) ADOPTED AS RESOLUTION R-272963

(Continued from the meeting February 14, 1989, Item 334

Subitem D, at Council Member McCarty's request, for further review.)

Directing the City Manager and Planning Director to prepare the appropriate Council action to provide funds within the Planning Department Fiscal 1989 Budget for the Growth Management work program and consultant services agreement; directing the Planning Director to docket a resolution for the approval of the proposed agreement for Growth Management consulting services.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A160-383.)

Hearing began at 11:14 a.m. and halted at 11:30 a.m.

MOTION BY WOLFSHEIMER TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-nay, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-330:

Two actions relative to De La Fuente Business Park, Phase I, Assessment District No. 4011 (1913 Improvement Act): (Otay Mesa Community Area. District-8.)

Subitem-A: (R-89-1618) ADOPTED AS RESOLUTION R-272964

Confirming the assessment, ordering the improvements made, together with appurtenances, and approving the Engineer's Report.

Subitem-B: (R-89-1617) ADOPTED AS RESOLUTION R-272965

Authorizing certain Assessment District Bonds to be sold at  
a public sale and directing a call for sealed bids.

FILE LOCATION: STRT D-2265

COUNCIL ACTION: (Tape location: A385-390.)

Hearing began at 11:30 a.m. and halted at 11:31 a.m.

MOTION BY FILNER TO ADOPT. Second by Struiksma. Passed by the  
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,  
Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-yea.

**ITEM-331:**

1. Request to approve Tentative Map TM-88-0542 (Cypress View Estates) which proposes the subdivision of an approximately 12.47-gross acre site into 26 lots for residential development. The subject property is located on the northeast corner of Pomerado and Cypress Canyon Roads and is further described as that portion of the southeast quarter of the southwest quarter of Section 26, Township 14 South, Range 2 West, SBM, in Zone A-1-10 (HR) (proposed Zones R-3000, (HR) and CN (HR)) of the Scripps Miramar Ranch Community Plan Area.
2. Vacation of the excess portions of Pomerado Road as provided for under Public Streets, Highways and Service Easements Vacation Law in conjunction with Cypress View Estates (TM-88-0542).  
(TM-88-0542. District-5.)

19890228

Subitem-A: (R-89-1440) ADOPTED AS RESOLUTION R-272966

Adoption of a Resolution certifying that the information contained in Addendum No. 88-0542 to Environmental Impact Report EIR-84-0744 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-89-1439) ADOPTED AS RESOLUTION R-272967  
Adoption of a Resolution authorizing the vacation of the  
excess portions of Pomerado Road.

Subitem-C: (R-89-1866) ADOPTED AS RESOLUTION R-272968,  
GRANTING THE MAP  
Adoption of a Resolution granting or denying the map, with  
appropriate findings to support Council action.

Subitem-D: (R-89-1867) ADOPTED AS RESOLUTION R-272969  
Adoption of a Resolution containing appropriate findings of  
mitigation, feasibility or project alternatives and  
statement of overriding considerations pursuant to  
California Public Resources Code Section 21081 in  
connection with Addendum No. 88-0542 to Environmental  
Impact Report EIR-84-0744.

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed vacation has been initiated by the submission of a tentative map for Cypress View Estates (TM-88-0542). The subject vacation and tentative map area are located within the Scripps Miramar Ranch community and within the R-3000 Zone. The tentative map proposes subdivision of 12.47 acres into 25 lots for single-family residential use and one lot for future commercial development. Future development of the residential segment will be controlled by the related Planned Residential Development Permit (PRD-88-0542). There are no development plans for the commercially designated property at this time. The Subdivision Board recommended approval of the tentative map and street vacation on January 3, 1989.

The subject vacation consists of two excess portions of the old alignment for Pomerado Road which are now closed to through traffic. The new alignment for Pomerado Road was dedicated recently with the Sunburst Scripps and Scripps Eastview Projects (TM-87-0883 and TM-88-0884 respectively). The future improvements will also be provided with those developments. The area-of-vacation totals 0.783 acres of which 0.336 acres will be utilized with the residential development and 0.447 acres will be consolidated with the future commercial property. Easement

reservations are not required since all necessary easements will be provided with the final map.

Staff review has indicated that the excess rights-of-way are no longer required for present or prospective public use and may be summarily vacated conditioned upon the recordation of the final map for Cypress View Estates (TM-88-0542).

FILE LOCATION: SUBITEMS A,C,D: SUBD - CYPRESS VIEW ESTATES;  
SUBITEM B: STRT J-2712, DEED F-4845  
DEED FY89-1

COUNCIL ACTION: (Tape location: A395-440.)

Hearing began at 11:32 a.m. and halted at 11:34 a.m.

MOTION BY STRUIKSMA TO APPROVE THE REQUEST. Second by Pratt.

Passed by the following vote: Wolfsheimer-nay, Roberts-yea,  
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: (R-89-1765) ADOPTED AS RESOLUTION R-272970 DENYING  
THE APPEAL

Appeals of University Ford, by Robert J. Fredrick, Attorney, and of Ford Leasing Development Company, by Steven S. Wall, Attorney, of Luce, Forward, Hamilton & Scripps, from the decision of the Board of Zoning Appeals in denying extension of time for Conditional Use Permit C-9024, originally approved December 20, 1968, which permitted a parking lot to utilize approximately 100,000 sq. ft. for storage of automobiles, trucks, customer and employee parking in connection with dealership in adjoining CA Zone. The extension of time request was for an additional 5 year period, extending to December 31, 1993. The subject property is located at 750 Camino de la Reina, and is a portion of Lot 1, Mission Valley Shopping Center, Map-4244, in Zone R1-40000, in the Mission Valley Community Plan area.

(CUP-9024. District-5.)

Adoption of a Resolution granting or denying the appeal and granting or denying the extension of time to the permit, with appropriate findings to support Council action.

FILE LOCATION: ZONE - ZONING APPEALS CUP-9024

COUNCIL ACTION: (Tape location: A453-B239; C488-D356.)

Hearing began at 11:35 a.m. and recessed at 11:54 a.m.

Testimony in favor by Robert Frederick and Robert Baker.

Hearing reconvened at 2:40 p.m. and halted at 3:16 p.m.

Testimony in opposition by Paul Peterson.

MOTION BY STRUIKSMA TO DENY THE APPEAL WITH A NINETY DAY GRACE PERIOD FOR VACATION OF THE SITE, AND ADOPT THE FINDINGS OF THE BOARD OF ZONING APPEALS. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-333: (R-89-1418) CONTINUED TO MARCH 7, 1989 AT  
10:00 A.M. DUE TO A LACK OF TIME

(Continued from the meetings of January 24, 1989, Item 335,  
January 31, 1989, Item S502,

Subitem F, and February 14,  
1989, Item 334,

Subitem C; last continued at Council Member

Filner's request, to allow the Planning Director and the  
City Manager to come back with a implementation policy that  
would include some kind of front end monitoring at the  
subdivision level.)

Establishing Council Policy 600-38 regarding Development  
Monitoring.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: G490-501.)

MOTION BY PRATT TO CONTINUE FOR ONE WEEK DUE TO A LACK OF TIME.

Second by McColl. Passed by the following vote:

Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea,  
Struiksma-yea, Henderson-yea, McCarty-not present, Filner-yea,  
Mayor O'Connor-yea.

ITEM-334: (R-89-1595) CONTINUED TO MARCH 20, 1989

Rescinding Resolution R-272196 adopted on October 25, 1988,  
relating to the confirmation of costs against Tax Assessors

Parcel Numbers 577-280-01 and 577-321-01 in the amount of \$4,469, for weed abatement; confirming the cost of weed abatement against Tax Assessors Parcel Numbers 577-280-01 and 577-321-01 in the total amount of \$4,469 to be apportioned against each parcel at the sum of \$2,234.50 per parcel, pursuant to the provisions of Sections 54.0201 through 54.0206 of the San Diego Municipal Code, and after a public hearing held this date, the property owners having been duly noticed; authorizing the City Manager to waive the City's administrative fee of \$1,809.95; authorizing the Fire Chief to bill the property owner for the costs of weed abatement hereby confirmed.

(See City Manager Report CMR-89-73.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B240-260.)

MOTION BY HENDERSON TO CONTINUE FOR THREE WEEKS AS REQUESTED BY THE CITY MANAGER. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-335: CONTINUED TO MARCH 7, 1989, AT  
2:00 P.M. TIME CERTAIN

Two actions relative to High Rise Building Inspection Fees:  
(See City Manager Report CMR-89-49.)

Subitem-A: (O-89-153)

Introduction of an Ordinance amending Chapter V, Article 5, of the San Diego Municipal Code, by amending Section 55.02.201, relating to Fire Code Full Cost Fee Recovery for Inspections and Plan Check Services.

Subitem-B: (O-89-159)

First public hearing in the matter of:  
Amending Ordinance O-17122 (New Series), as amended,  
entitled "An Ordinance Adopting the Annual Budget for the

Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-17122-1, as amended and adopted therein, by adding to the personnel authorization of the Fire Department (120), Fire Prevention Program (12030), one (1.00) Fire Prevention Inspector II position and one-quarter (0.25) Clerical Assistant II position, for the High-Rise Inspections Program.

NOTE: The second public hearing for the introduction and adoption of the ordinance will be held on Monday, March 6, 1989.

COMMITTEE ACTION: Reviewed by PSS on 2/15/89. Recommendation to approve the City Manager's recommendation. Districts 3, 4, 6 and 7 voted yea. District 2 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: --.)

MOTION BY PRATT TO CONTINUE ONE WEEK TO ALLOW CITIZENS AN OPPORTUNITY TO ATTEND THE HEARING. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-336: (O-89-173) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17256 (New Series)

19890228

Introduction and adoption of an Ordinance amending Ordinance O-17122 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-17122-1, as amended and adopted therein, by reducing the Capital Improvements Program in the amount of \$2.2 million, said sum to come from the new convention facility (10225) CIP-54-006.0, entitled "Pedestrian Bridges"; directing the Auditor and Comptroller to transfer said \$2.2 million to San Diego Festivals, Inc. - TOT Contributions (91141), for the sole and exclusive purpose of funding the Soviet Arts Festivals.



NOTE: See Item 208 on the docket of Monday, February 27, 1989 for the first public hearing. Today's action is the introduction and adoption of the ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A144-154.)

MOTION BY ROBERTS TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT ITEMS 336 AND 337. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-nay, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-337: (O-89-170) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17257 (New Series)

19890228

Introduction and adoption of an Ordinance amending Ordinance O-17098 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year" by amending Document No. 00-17098-1, as amended and adopted therein, by amending the personnel authorization of Councilmanic Administration (029) by deleting one Confidential Secretary Position and by adding one Council Representative I Position; exempting said position from the Classified Service, and establishing a salary rate.

(See memorandum from Deputy Mayor McCarty dated 1/18/89; memorandum from the Personnel Director dated 2/7/89.)

NOTE: See Item 209 on the docket of Monday, February 27, 1989, for the first public hearing. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A144-154.)

MOTION BY ROBERTS TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT ITEMS 336 AND 337. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-nay, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-338: CONTINUED TO APRIL 4, 1989 AT 2:00 P.M.

A proposal to adopt an amendment to the Penasquitos East Community Plan to redesignate a 5.3 acre site located on the southeast corner of Calle De Las Rosas and Salmon River Road from open space to a library site.

The City Council may also consider and recommend other sites within Rancho Penasquitos to be redesignated as a library site.

(District-1.)

Subitem-A: (R-89-1610)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-87-0941 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-89-1609)

Adoption of a Resolution denying the plan amendment.

FILE LOCATION: LAND - Penasquitos East Community Plan

COUNCIL ACTION: (Tape location: D356-G145.)

Hearing began at 3:16 p.m. and halted at 5:05 p.m.

Testimony in favor by Eleanor Forster, Al Converse, Pamela Stevens, Jose Ramirez, Kathleen Zaworski-Burke.

Testimony in opposition by Alan Dickey, Bob Trettin, John Carson, Linda Michael, Dennis Ainsworth, Williard Sachs, Charlotte Mahan, Bob Friedenberg, Robert Miguel.

Motion by Wolfsheimer to extend the option for the Towne Centre site for thirty days, and establish a siting committee to return to Council no later than June 1, 1989. Second by Pratt. No vote.

Motion by Henderson to deny the plan amendment and uphold the decision of the Community Planning Group; to authorize the City

Manager to accept the donation of the deed; and to direct the City Manager to work with the Community Planning Group on the parking problem and come back with a parking design in thirty days. Second by Struiksma. No vote.

Motion by Wolfsheimer to take a look at alternative sites for the YMCA in order to keep the library. No second.

Motion by Wolfsheimer to extend the option period for thirty days; and to have two representatives meet and hold hearings with the community and report to the Library Commission, then to the Manager. Second by Pratt. No vote.

Motion by Roberts to continue for thirty days to have staff look at other sites, evaluate locations and come back with other alternatives. No second.

**MOTION BY WOLFSHEIMER TO DIRECT THE CITY MANAGER TO BRING BACK TO COUNCIL ON APRIL 4, 1989, A PLAN THAT WILL PLACE BOTH THE LIBRARY AND THE YMCA ON THE TOWNE CENTRE SITE. Second by Pratt.**

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

**ITEM-339: (R-89-1622) CONTINUED TO MARCH 7, 1989 AT 2:00 P.M.**

Amending Council Policy 600-36 regarding "Requirements for Annual Adjustments to Facilities Benefit Assessments and Prepayment of Assessments."

(See City Manager Reports CMR-89-69 and CMR-89-26.)

NOTE: See Item 340 on today's docket for a companion item.

**FILE LOCATION: - -**

**COUNCIL ACTION: (Tape location: C470-488.)**

**MOTION BY McCARTY TO CONTINUE ITEMS 339, 340, S500 AND S501 TO MARCH 7, 1989 AT 2:00 P.M. AT THE REQUEST OF JACK McGRORY FOR FURTHER REVIEW. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.**

**ITEM-340: CONTINUED TO MARCH 7, 1989 AT 2:00 P.M.**

(Continued from the meetings of November 15, 1988, Item 330, January 10, 1989, Item 333, January 23, 1989, Item 204

and February 14, 1989, Item 337; last continued at Council Member Wolfsheimer's request, to be heard with the North City West Transportation Phasing Plan.)

Approval of the proposed Sorrento Hills Development Agreement Case-88-0590 between the City of San Diego and American Newland Associates et al. The agreement would apply to approximately 557 acres in the Sorrento Hills community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Sorrento Hills Community Plan; Zones M-IP, M-1B, R-1500 and A-1-1; PRD, PID and Tentative Map TM-84-0570; PRD-84-0518; Tentative Map TM-84-0519; HRP-183; and HRP and Tentative Map TM-83-0167 for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the east side of I-5 and I-805 between Carmel Valley and Rancho de Los Penasquitos Canyon. A brief legal description is as follows: portions of Sections 29, 30, 31, 32, 24 and 25, Township 14 South, Range 3 West, SBBM; Map Nos. 433, 36 and others and Record of Survey Maps. The specific legal description is on file in the City Planning Department.  
(Case-88-0590. District-1.)

Subitem-A: (R-89-947)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-81-12-33

(Sorrento Hills) has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

**Subitem-B: (R-89-923)**

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-82-0380, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

**Subitem-C: (R-89-921)**

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-83-0167, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

**Subitem-D: (R-89-922)**

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0101, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the Council and adopting appropriate findings of mitigation,

feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

**Subitem-E: (R-89-610)**

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-88-0590, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

**Subitem-F: (R-89-924)**

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0518, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

**Subitem-G: (R-89-925)**

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0519, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant

to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

**Subitem-H: (R-89-926)**

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0520, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

**Subitem-I: (O-89-55)**

Introduction of an Ordinance approving the development agreement.

NOTE: See Item 339 on today's docket for a companion item.

FILE LOCATION: DEVL - Sorrento Hills Development Agreement

COUNCIL ACTION: (Tape location: C470-488.)

MOTION BY McCARTY TO CONTINUE ITEMS 339, 340, S500 AND S501 TO MARCH 7, 1989 AT 2:00 P.M. AT THE REQUEST OF JACK McGRORY FOR FURTHER REVIEW. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

**ITEM-341:**

(Continued from the meeting of January 17, 1989, Item 339 and February 14, 1989, Item 336; last continued at Council Member Filner's request, until after the Planning Commission acts on the new Plan District Ordinance.)  
Appeal of Cheng Development, Inc., by Michael L. Krichman, Esq., of Latham & Watkins, from the decision of the Planning Commission in denying Planned Commercial Development Permit PCD-87-1135, which proposes a 13-story,

336,102 square-foot commercial office tower and a six level subterranean parking garage (Laurel and Fifth Center). The subject 1.38-acre property is located in the block bounded by Fourth and Fifth Avenues and Laurel and Kalmia Streets and is further described as Lots A-L, Block 281 of Horton's Addition, in Zone C, in the Uptown Community Plan area.  
(PCD-87-1135. District-8.)

19890228

Subitem-A: (R-89-1863) ADOPTED AS RESOLUTION R-272971

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-87-1135 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-89-1864 Rev.1) ADOPTED AS RESOLUTION R-272972  
GRANTING THE APPEAL WITH  
CONDITIONS

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM - PCD-87-1135

COUNCIL ACTION: (Tape location: G172-490.)

Hearing began at 5:30 p.m. and halted at 5:51 p.m.

Testimony in favor by David Mulliken.

Testimony in opposition by Vincent Bartolotta, Jr.

MOTION BY FILNER TO GRANT THE APPEAL ON THE CONDITION THAT (1) THE HEIGHT BE REDUCED FROM 150 TO 130 FEET; AND (2) THAT THE REVISED PCD BE REVIEWED BY THE CITY ARCHITECT. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.



ITEM-S500: (R-89-1641) CONTINUED TO MARCH 7, 1989 AT 2:00 P.M.

Adopting the revised Transportation Phasing Plan for the  
North City West Community.

(See City Manager Report CMR-89-88. District-1.)

NOTE: See Item S501 for a companion item.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A014-143; C470-488.)

Testimony by Mike Madigan, Brian Laidlow, Dwight Worden, Ernie  
Herrington and Diane Valentine regarding the continuation.

MOTION BY Wolfsheimer TO TRAIL ITEMS S500 AND S501 TO THE  
AFTERNOON AND THEN CONTINUE THE ITEMS, ALONG WITH ITEM 339, TO  
MARCH 7, 1989, AT 2:00 P.M. Second by McColl. Passed by the  
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,  
Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-not present.

MOTION BY McCARTY TO CONTINUE ITEMS 339, 340, S500 AND S501 TO  
MARCH 7, 1989 AT 2:00 P.M. AT THE REQUEST OF JACK McGRORY FOR  
FURTHER REVIEW. Second by Henderson. Passed by the following  
vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,  
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

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ITEM-S501: (R-89- ) CONTINUED TO MARCH 7, 1989 AT 2:00 P.M.

Adoption of an Allocation Plan for residential and  
commercial development in the North City West Community.

(See City Manager Report CMR-89-69. District-1.)

NOTE: See Items 339 and S500 for companion items.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A014-143; C470-488.)

Testimony by Mike Madigan, Brian Laidlow, Dwight Worden, Ernie  
Herrington, and Diane Valentine regarding the continuance.

MOTION BY WOLFSHEIMER TO TRAIL ITEMS S500 AND S501 TO THE  
AFTERNOON AND THEN CONTINUE THE ITEMS, ALONG WITH ITEM 339, TO  
MARCH 7, 1989, AT 2:00 P.M. Second by McColl. Passed by the  
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,  
Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-not present.

MOTION BY McCARTY TO CONTINUE ITEMS 339, 340, S500 AND S501 TO MARCH 7, 1989 AT 2:00 P.M. AT THE REQUEST OF JACK McGRORY FOR FURTHER REVIEW. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

**ITEM-S502: PRESENTATIONS MADE**

Presentation of Special Commendations from the Dr. Martin Luther King Awards Program Committee to individuals who have exemplified the works and merits of Dr. Martin Luther King Jr.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C004-470.)

**ITEM-S503: (R-89-1516) ADOPTED AS RESOLUTION R-272973**

(Continued from the meeting of February 21, 1989, Item 334, at Council Member Filner's request, for further review.)

The Redevelopment Agency of the City of San Diego is proposing a Sixth Amendment to the Redevelopment Plan for the Columbia Redevelopment Project. The Columbia Redevelopment Plan provides for the expansion of the Central Business District westerly toward San Diego Bay. The proposed Sixth Amendment would increase permitted development densities on certain blocks in the Columbia Redevelopment Project commensurate with the development intensity of the commercial core of the City, delete references to the construction of a convention center in the Project area, refine permitted uses, and establish urban design standards. Density bonuses would be awarded for provision of underground parking, residential use, open space, certain architectural treatment, and for contributions to art, cultural, or social improvements. A 30-story height limit would be deleted from the Plan. The proposed Sixth Amendment to the Columbia Redevelopment Plan also constitutes an amendment to the City of San

Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendment must be submitted to the California Coastal Commission for review and final approval.

(District-8.)

Adoption of a Resolution amending the Local Coastal Program and authorizing transmittal to the California Coastal Commission.

NOTE: See Item 601 on the Special Joint Meeting Docket of February 28, 1989 and the Redevelopment Agency Agenda for companion items.

FILE LOCATION: LAND - Local Coastal Program

COUNCIL ACTION: (Tape location: I335-336.)

Hearing began at 7:05 p.m. and halted at 7:05 p.m.

MOTION BY FILNER TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-2: CITY MANAGER RESPONDED TO COMMENTS

Eliseo Medina, President of the Local 102 spoke relative to unfair treatment of the San Diego Jack Murphy Stadium Workers.

COUNCIL ACTION: (Tape location: I379-429.)

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor O'Connor at 7:11 p.m.

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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I429).